



DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2013-0029]

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document received on March 19, 2013, the North Shore Railroad Company (NSHR) has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR Part 223, Safety Glazing Standards—Locomotives, Passenger Cars and Cabooses. FRA assigned the petition Docket Number FRA-2013-0029.

NSHR petitioned FRA to grant a waiver of compliance from the safety glazing provisions of 49 CFR 223.15, *Requirements for existing passenger cars*. NSHR seeks this relief for a 1953 M500-type coach car, Number ORRX 4885, which is being purchased from a private owner, Ontario Rail (ORRX). NSHR intends to use ORRX 4885 in excursion, VIP, and shipper service on tracks owned by the Susquehanna Economic Development Authority—Council of Governments (SEDA-COG) Joint Rail Authority, and the Union County Industrial Railroad. The component railroads in SEDA-COG include the Nittany and Bald Eagle Railroad (72 miles), the Lycoming Valley Railroad (34 miles), the North Shore Railroad Company (NSHR, 38 miles), and the Shamokin Valley Railroad (25 miles). NSHR intends to operate on two additional

lines: approximately 5 miles on the Milton Branch owned by the West Shore Railroad Corporation, and approximately 10 miles that the Lewisburg and Buffalo Creek Railroad owns on the Winfield Branch. The ORRX 4885 will be operated at a maximum timetable track speed authorized by each of the railroads mentioned above, but not to exceed 50 mph.

ORRX 4885 has 24 side windows and no end windows. Sixteen side windows are 28" × 66" and eight are 28" × 26". Each window has dual-pane-style laminated safety glazing (plated outside and laminated inside). None of the windows open; however, the two emergency exit windows on each end of the car are clearly marked and have hammers mounted on them to break out glazing under emergency conditions.

ORRX 4885 is also equipped with flashlights, other battery-powered lighting, and an axe.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov and in person at the U.S. Department of Transportation's Docket Operations Facility, 1200 New Jersey Ave., S.E., W12-140, Washington, D.C. 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- Web site: <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- Fax: 202-493-2251.
- Mail: Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, S.E., W12-140, Washington, D.C. 20590.
- Hand Delivery: 1200 New Jersey Avenue, S.E., Room W12-140, Washington, D.C. 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by [INSERT DATE 45 DAYS FROM PUBLICATION OF THIS NOTICE] will be considered by FRA before final action is taken. Comments received after that date will be considered as far as is practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See <http://www.regulations.gov/#!privacyNotice> for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the Federal Register published on April 11, 2000 (65 FR 19477).

Issued in Washington, DC, on May 13, 2013

Robert C. Lauby
Deputy Associate Administrator
for Regulatory and Legislative Operations

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